

Senate bill No. 358, being "An act to validate the corporate existence of certain cities and towns in Texas and to validate certain acts done and performed by such cities and towns."

And find the same correctly engrossed.

CARTER, Chairman.

Senator Carter offered the following amendment to the pending bill:

Provided this act shall not apply to any city now or hereafter operating under or having a special law or charter.

Lost.

Senator Lubbock offered the following amendment:

Amend section 19, in line 28 after the word "shall," insert "not," and in line 29 strike out all after the word "incorporation."

Senator Garwood offered the following substitute:

Strike out and insert section 19.

The provisions of this act shall not apply to cities with special charters giving said cities the power of control of their public schools.

Senator Weisiger offered the following resolution:

Resolved, That as a token of respect to the memory of the illustrious hero, the late general J. E. Johnson, the Senate stand adjourned until tomorrow morning at 10 o'clock.

Adopted.

And the Senate adjourned to 10 o'clock tomorrow morning.

Read and referred to Judiciary committee No. 2.

#### SIXTY-FIRST DAY.

SENATE CHAMBER,  
TWENTY-SECOND LEGISLATURE,  
Austin, Texas, March 25, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

#### PRESENT—28.

Burney.	Harrison.	Potter,
Clark,	Johnson,	Seale,
Crane,	Kearby,	Sinkins,
Carter,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Sims,
Clemens,	Maetze,	Tow send,
Frank,	McKinn y,	Tyler,
Finch,	Mott,	Whatley,
Garwood,	Page,	Weisiger.
Glasscock,		

#### ABSENT—1.

Atlee,

Prayer by the chaplain, Dr. Smoot.  
Pending the reading of the journal of yesterday, on motion of Senator Townsend the further reading of the same was dispensed with.

#### PETITIONS AND MEMORIALS.

By Senator Maetze:

Petition of citizens of Fort Bend county, praying that their county be left as it is now and as it has been since the early days of the republic.

Read first time and referred to committee on Counties and County Boundaries.

The president gave notice of signing and signed in the presence of the Senate, Senate bill No. 359 entitled an act to incorporate the city of Denison, in Grayson county, Texas, and to fix the boundaries thereof and to provide for the government and the management of its affairs.

Also Substitute Senate bill No. 288, entitled an act to amend an act to incorporate the city of Waco, and to define its boundaries and powers, approved February 19, 1889.

Also Senate joint resolution No. 12, confirming the location of the boundary line established by United States commissioners between No Man's Land and Texas and Texas and New Mexico, under an act of Congress approved June 5, 1885.

The chair announced, as the committee of free conference as asked for by the House, on the differences between the two Houses on Substitute House bills Nos. 1, 3 and 58, Senators Clark, Cranford, Tyler, Simkins and Crane.

The following reports were handed in from their respective committees:

#### COMMITTEE ROOM.

Austin, March 25, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—We, your committee on Private Land Claims, to whom was referred

House bill No. 584 being an act for the relief of J. A. Belvin

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

KEARBY, Chairman.

#### COMMITTEE ROOM.

Austin, March 25, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on State Affairs, to whom was referred

Senate bill No. 365, being "An act to amend section 6 of an act entitled an act to require railroad companies in this state to provide separate coaches for white and negro passengers, and to prohibit passengers from riding in coaches other than those set apart for their race, and to confer certain powers upon conductors, and to provide penalties for the violation of this act," passed by the Twenty second Legislature and approved March, 1891.

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

WHATLEY, Chairman.  
COMMITTEE ROOM,  
Austin, March 25, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Enrolled Bills have carefully examined and compared

Senate bill No. 148, being "An act to provide the manner of collecting the interest and sinking fund on certain bonds held by the school fund of the State of Texas."

And find the same correctly enrolled and have this day, at 10:20 a. m., presented the same to the Governor for his signature.

CRANE, Chairman.  
COMMITTEE ROOM,  
AUSTIN, March 21, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Enrolled bills have carefully examined and compared

Senate bill No. 3, being "An act to provide for revising, digesting and publishing the laws, civil and criminal of the state of Texas,"

And find the same correctly enrolled, and have this day, at 10 a. m., presented the same to the Governor for his approval.

CRANE, Chairman.  
COMMITTEE ROOM,  
Austin, March 23, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Enrolled bills have carefully examined and compared

Senate Joint Resolution No. 12, confirming the location of the boundary line established by the United States commissioners between No Man's Land and Texas, and Texas and New Mexico, under an act of Congress, approved June 5, 1858 "

And find the same correctly enrolled,

and have this day, at 10:12 o'clock a. m., presented the same to the Governor for his signature.

CRANE, Chairman.  
COMMITTEE ROOM,  
Austin, March 25, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Enrolled bills have carefully examined and compared

Senate bill No. 359, being "An act to incorporate the city of Denison in Grayson county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs."

And find the same correctly enrolled and have this day, at 10.12 a. m., presented the same to the Governor for his approval.

CRANE, Chairman.  
COMMITTEE ROOM,  
Austin, March 25, 1891.

Hon. George C. Pendleton, President of the Senate.

Sir—Your committee on Enrolled Bills have carefully examined and compared

Senate bill No. 288 being an act entitled an "Act to incorporate the city of Waco and to define its boundaries and powers" approved February 19, 1889.

And find the same correctly enrolled, and have this day, at 10:12 o'clock a. m. presented the same to the Governor for his signature.

CRANE, Chairman.  
COMMITTEE ROOM,  
Austin, March 24, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 75, being "An act to be entitled an act to amend articles 3157, 3159; 3160 and 3163 of chapter 1, title 41 of the revised civil statutes of the state of Texas," passed March 17, 1879.

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM,  
Austin, March 24, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 114, being "An act to amend section 17, of an act to provide for the speed and efficient enforce-

ment of the liens of Mechanics, Contractors, Sub-contractors, Builders, Laborers and Material men and to repeal all existing laws and parts of laws in conflict with the provisions of this act," approved April 5, 1889.

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM.

Austin, March 23, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 336, being "An act to amend section 1 of chapter 79, of an act passed at the regular session of the Twenty-first Legislature, approved April 4, 1889, entitled an act to authorize counties to fund their indebtedness and to provide means to pay the same."

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM.

Austin, March 24, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 265, being "An act fixing the salaries of receivers and other appointees concerning receiverships and regulating the deposit of the funds of such receivership."

And find the same correctly engrossed.

CARTER, Chairman.

COMMITTEE ROOM.

Austin, March 24, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 276, being "An act to regulate corporations engaged in the business of guaranteeing or acting as security for the fidelity of persons in public and private offices, employment or positions and the agents of such corporations, and prescribing penalties for failure to comply with the provisions thereof,"

And find the same correctly engrossed.

CARTER, Chairman.

: REPORT OF SPECIAL COMMITTEE.

To the Senate and House of Representatives of the State of Texas:

Your committee appointed under the joint resolution of the 17th inst., to examine and audit the claims for services rendered in the enforcement of the quarantine law under the past administration now remaining unpaid, beg leave to report that they find it impracticable to perform the service required of them in connection with other regular duties, and to complete the same at the present session of the Legislature, and respectfully ask that they be relieved from further consideration of the matters committed to them; and your committee recommend the adoption of the accompanying joint resolution, believing the same to be the best means of facilitating the consideration of such matters.

Respectfully submitted,

ATLEE,

STEPHENS,

Of the Senate.

McKINNEY,

MURRELL,

LLOYD,

Of the House.

Concurrent resolution creating an auditing board to pass on certain claims against the state, and to authorize the Governor to direct payment therefor, was read first time and ordered to lie on the table subject to call.

#### BILLS AND RESOLUTIONS.

By Senator Potter:

A Bill to be entitled an "Act to amend chapter 2, title 11 of the revised civil statutes of the state of Texas, relating to county attorneys by adding thereto article 248a."

Read first time and referred to Judiciary Committee No. 2.

By Senator Potter:

A bill to be entitled an "Act to provide for the erection of a laboratory and other buildings at the University of Texas. To provide for the building of a new executive mansion for the use of the governor of this state and for necessary improvements at the A. & M. college of Texas, appropriating the money due the state of Texas, for bounty on sugar to pay for such buildings and improvements, and repealing all laws and parts in conflict therewith."

Senator Townsend offered the following resolution:

Whereas the Senate has promptly disposed of the House bills as they have appeared upon the president's desk and whereas we are informed that Senate bills have been permitted to accumulate upon the speaker's

table in the House undisposed of. Therefore be it resolved that it is the sense of the Senate, that the House is not showing the Senate that courtesy which ought to prevail between the two equal and independent bodies. The secretary is requested to furnish the House with this resolution.

Senator Kimbrough moved to refer the resolution to the committee on Retrenchment and Reform.

Senator Frank moved to lay the resolution on the table subject to call.

Lost.

The motion of Senator Kimbrough was lost.

After debate Senator Townsend withdrew the resolution.

Senator Sims moved to postpone pending business and take up the motion to reconsider the vote passing substitute House bill No. 39, entitled "An act to amend chapter 1, title 62 of the revised civil statutes of Texas relating to limitation of actions for land by adding thereto articles 3195a and 3195b."

Adopted, and the motion to reconsider prevailed.

On motion of Senator Harrison Senator Pope was excused for yesterday on account of sickness in his family.

On motion of Senator Crane Senator McKinney was excused for last Monday on account of important business.

On motion of Senator Harrison Captain Boggess, door keeper of the Senate was excused for yesterday on account of sickness.

On motion of Senator Crane Senator Mott was excused for yesterday on account of important public business.

On motion of Senator Page Senator Kearby was excused for Saturday, Monday and yesterday on account of important business.

On motion of Senator Cranford Senator Atlee was excused for Saturday, Monday and yesterday on account of important business.

Senator Sims offered the following amendment to the pending bill:

Amend section 1, article 3195a by inserting after the word "thereof," line 8, page 1, as follows: "when all the fence is on the circumscribed tract or tracts," and by striking out all after the word "unless," line 1, page 2, and insert the words, "such peaceable and adverse possession of such interior tract has been held as is mentioned in said article 3194 independent of the fence on, or the possession of the circumscribing tract or tracts."

Adopted.

Senator Sims offered the following amendment:

Amend article 3195b by striking out all after the word "or," in line 10, page 2 and insert in lieu thereof the following: "unless such peaceable and adverse possession of such interior tract of land has been held as is mentioned in said article 3194 independent of the fence on, or possession of the circumscribed tract or tracts."

The chair gave notice of signing and signed in presence of the Senate

House bill No. 561, entitled an act to diminish the civil and criminal jurisdiction of Menard and Hemphill counties.

Also House bill No. 569, entitled an act to restore to and confer upon the courts of Travis and Bandera counties the civil and criminal jurisdiction heretofore belonging to said courts under the constitution and general laws of the State, and to conform the jurisdiction of the district courts of said counties to such change, and to repeal all laws in conflict with this act.

Also House bill No. 526, entitled an act to be entitled an act to create a more efficient road system for the counties of Grayson, Dallas, Galveston, Brown, Comanche, Mills, Fannin, Travis, Hunt, Hill, Collins, Denton, Kaufman and Fayette in the State of Texas, authorizing the employment of a road commissioner, defining his duties, prescribing penalties for his failure to perform his duties, and further defining the powers of the commissioners courts of the said counties under this act.

Senator Townsend moved to commit the pending bill to the committee on Public Lands. Lost.

The amendment by Senator Sims was lost.

Senator Townsend offered the following amendment: Amend by striking out article 3195b.

Senator Tyler offered the following amendment: Amend article 3195b by adding thereto the following: "Or unless the adverse claimant actually resides thereon."

Senator Townsend offered the following substitute, which was accepted by Senator Tylor: Amend by adding at end of article 3195b, as follows: "Or unless there be actual possession by residence thereon."

Adopted.

The amendment of Senator Town-

send to strike out article 3159b was lost by the following vote:

## YEAS—12.

Atlee,	Johnson	Seale,
Burney,	Kearby,	Sims,
Garwood,	Maetze,	Stephens,
Harrison,	Page,	Townsend,

## NAYS—15.

Clark,	Glasscock,	Potter,
Crane,	Kim rough,	Simkins,
Cranford,	Lubbock,	Tyler,
Finch,	McKinney,	Weisiger,
Frank,	Mott,	Whatley,

Senator Tyler moved to reconsider the vote adopting the amendment of Senator Sims to article 3195a, which motion prevailed.

On reconsideration the amendment was lost.

Senator Townsend offered the following amendment:

Amend by striking out "two thousand" and insert "five thousand" in line 5, page 2.

Lost.

Senator Stephens offered the following amendment:

Amend article 3195b, as follows: After the word "more" in line 5, page 2, insert the words "of lands enclosed by a fence."

Adopted.

Senator Potter moved to reconsider the vote by which the amendment of Senator Townsend to line 5, page 2 was lost, which motion prevailed.

The amendment was adopted.

The bill passed by the following vote:

## YEAS—21.

Atlee,	Garwood,	Mott,
Burney,	Glasscock,	Potter,
Clark,	Johnson,	Simkins,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	McKinney,	Whatley,

## NAYS—5.

Harrison,	Seale,	Weisiger.
Kearby,	Sims,	

Senator Lubbock moved to postpone pending business suspend the rules, take up Senate bill No. 338, entitled an act to provide for the organization of public warehouses and to regulate the warehousing of cotton, grain, and all other kind of products and all kinds of goods and mercantile commodities, and to define the ownership thereof, and make it special order for next Friday after morning call and from day to day until disposed of.

Adopted.

The following message was received from the House:

HALL OF THE HOUSE OF REPRESENTATIVES, AUSTIN, TEXAS, }  
March 25, 1891. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed to inform the Senate that the House has passed

Senate bill 335, being "An act to regulate voting in cities and towns of five thousand inhabitants or more," with attached amendments. Ayes 76, nays 1.

SAM H. DIXON, Chief Clerk,  
House of Representatives.

The following privileged report was handed in:

COMMITTEE ROOM,

Austin, March 19, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed Bills have carefully examined and compared

Senate bill No. 311 being an act to amend section 1 of an "Act approved April 8, 1889, to amend an act to regulate the condemnation of property in cities and towns for the purpose of opening, widening or changing public streets, avenues or alleys, or for water-mains, or sewers; Approved March 28, 1883, so as to regulate condemnation of property for erection thereon of hospitals and pest houses."

And find the same correctly engrossed.

CARTER, Chairman.

Senator Glasscock moved to reconsider the vote passing House bill No. 598, entitled an act to amend the charter of the city of Galveston by amending sections 3, 5, 14, 17, 20, 23, 28, 29, 41, 70, 78, 79, 95, 127, 128, 155, 156, 157 thereof and by adding thereto sections 6a, 18a, 39a, 72a, 73b, 78a, 95a, 100a, 128a, 130b, 132c, 164a, 169a, 174 and 175, which motion prevailed.

The bill passed by the following vote:

## YEAS—28.

Atlee,	Glasscock,	Mott,
Burney,	Harrison,	Potter,
Carter,	Ingram,	Seale,
Clark,	Johnson,	Simkins,
Clemens,	Kearby,	Sims,
Crane,	Kimbrough,	Stephens,
Cranford,	Lubbock,	Tyler,
Finch,	Maetze,	Weisiger,
Frank,	McKinney,	Whatley,
Garwood,		

## NAYS—1.

Page.

We vote yea on the final passage of House bill 598, being an amendment to the city charter of Galveston in order that the bill may receive the necessary vote to put the bill immediately in force in order that the city of Galveston could hold its election for the purposes indicated in the charter, which the friends of the bill claim would be of great advantage to the city by enabling its citizens to relieve

themselves of many evils now existing. The bill would have become a law in 90 days after adjournment without our vote but in becoming a law at once would give the citizens of Galveston a chance at the election to obtain at once the good features contained in the charter as now proposed to be amended.

We believe that the amendment providing for a two-third vote of the taxpayers authorizing the incurring of debt for sanitary purposes should have been engrafted on the bill as provided for in article 11, section 7, of the State constitution.

GLASSCOCK,  
WEISIGER,  
WHATLEY.

Senator Kimbrough moved that the Senate concur in the following House amendment to Senate bill No. 335:

Strike out "five" in the caption and in the bill and insert "ten" in lieu thereof.

Adopted.

By consent Senator Frank withdrew the motion to amend Substitute Senate bills Nos. 152 and 187.

Senator Clemens moved to postpone pending business and take up out of its regular order

House bill No. 522, entitled "An act to place certain counties now under the community school system under the district system, and to repeal all laws in conflict herewith."

Adopted.

Bill read second time with the following committee amendment: "Strike out 'Bastrop' wherever it appears in the bill."

The committee amendment was adopted.

By consent Senator Seale introduced the following bill:

A bill to be entitled "An act to punish parents and guardians or other persons giving false ages of children to persons authorized by law to take the scholastic ages of children of the state of Texas."

Read first time and referred to committee on Education.

Senator Frank offered the following amendment to the pending bill:

Amend by striking out section 2 of the bill, and change section 3 to section 2.

Adopted.

The bill was passed to a third reading.

Senator Clemens moved to suspend the constitutional rule requiring a bill to be read on three several days and

that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—27.

Atlee,	Garwood,	Page.
Burney,	Harrison,	Potter,
Clark,	Johnson,	Seale,
Clemens,	Kearby,	Simkins.
Crane,	Kimbrough,	Sims,
Cranford,	Lubbock,	Stephens,
Fitch,	Maetze,	Townsend.
Frank,	McKinney,	Tyler,
Glasscock,	Mott,	Weisiger.

NAYS—None.

Bill read third time.

Senator Frank offered the following amendment:

Amend by striking out in the caption: "and repeal all laws in conflict herewith."

Adopted.

The bill was passed by the following vote:

YEAS—24.

Burney,	Glasscock,	Page.
Clark,	Harrison,	Potter,
Clemens,	Kearby,	Seale,
Crane,	Kimbrough,	Simkins,
Cranford,	Lubbock,	Stephens,
Finch,	Maetze,	Townsend,
Frank,	McKinney,	Tyler,
Garwood,	Mott,	Weisiger.

NAYS—None.

Senator Mott moved to postpone pending business and take up out of its regular order Senate bill No. 192, for the purpose of recommitting the bill to the committee on Counties and County boundaries, which motion prevailed and the bill so ordered referred.

Senator Potter moved to postpone pending business and take up out of its regular order House bill No. 349, entitled "An act to carry into effect the constitutional amendment empowering counties to determine by vote whether 15 cents road tax shall be levied by county commissioners court

Adopted and bill read second time. With the following committee amendment:

Section 1. Be it enacted by the Legislature of the State of Texas, that the commissioners court of any county shall, upon presentation to it at any regular session of a petition signed by 200 qualified voters, they being property tax payers of the county for that purpose, order an election within said county to determine whether there shall be levied upon the property within said county by said commissioners court a road and bridge tax not to exceed fifteen cents on the one hundred dollars worth of property, under the provisions of the amendment of 1889 to the constitution of the State of Texas, adopted

in 1890. It shall not be necessary to give any notice of such petition before the court can act on the same, but the court may act thereon without notice and may make an order for such election, fixing the amount to be levied not to exceed fifteen cents on the one hundred dollars, the election to take place at any time thereafter, not less than twenty nor more than ninety days from the date making the order therefor.

Section 2. It shall not be necessary to give any formal notice of such election, except the county judge to issue his election proclamation, and the fact that such election is to be held shall be published in the newspapers of the county as fully as practicable, and tickets for the election shall be printed by the county and sent to each voting precinct by the county judge before the election opens, and as long before such time as practicable. The expenses of the election shall be paid by the county. If an election be ordered within ninety days of a general election, it shall be held on the day of the general election, and as elections on other questions are held, but otherwise the commissioners court shall order a special election to determine whether said tax shall be levied, which shall be conducted as other elections, and the officers to conduct the same shall be appointed as in other cases.

Section 3. Only qualified voters who pay a property tax in the county shall be permitted to vote at such election. The tickets printed and to be voted shall have written or printed on them the words, "for the tax," and "against the tax," and those who favor the tax shall vote the ticket "for the tax," and those who oppose the tax shall vote the ticket "against the tax."

Section 4. If at any such election the majority of the qualified voters voting thereat shall not vote for such tax it shall not be necessary to make further public proclamation of that fact than to count the votes as in other cases, and officially announce the result, and the said commissioners' court shall thereby be authorized and required to levy a road and bridge tax in the same manner that other taxes are levied in the amount specified in said order for such election, never to exceed fifteen cents on the \$100 worth of property. Such levy shall be made at the same time other county taxes are levied, if such election is held in time therefor, but otherwise it may be made at any time

before the rolls are made out and settlement effected. If, at the election, the proposition for said tax shall carry no petition for its repeal shall be granted in less than two years. But, if it fail to carry, another petition may be granted in one year, but not sooner, and the order granting the second or subsequent petition may fix a greater or less rate of levy but not to exceed fifteen cents on the one hundred dollars worth of property, and if no greater rate is levied for any one year the commissioners court may lower the rate for the next year without a petition therefor. An election to repeal the levy may be ordered and held as in other cases, but there must be satisfactory proof presented to said commissioners court that there is great dissatisfaction with such tax and that it is probable that a majority of the citizens of the county who are authorized to vote for said tax would vote a repeal of the law, and unless such proof be made the petition to repeal shall not be granted.

Section 5. Provided that no bonds shall ever be issued under the provisions of this act.

Section 6. Whereas, there is no law in force in this state putting in operation the amendment to the constitution and to provide for elections to determine whether such tax shall be levied; and, whereas, many counties in this state desire to hold such elections and levy said tax at the time of making the general tax levy for the county, therefore, an emergency and public necessity exists that this act take effect and be in force from and after its passage.

The committee amendments were adopted

The bill was ordered to its third reading.

Senator Potter moved to suspend the constitutional rule requiring a bill to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—21.

Clark,	Harrison,	Page.
Crane,	Johnson,	Potter,
Crawford,	Kearby,	Simkins,
Finch,	Kimbrough,	Stephens,
Frank,	Mattie,	Townsend,
Garwood,	McKinney,	Tyler,
Glasscock,	Mott,	Weisiger.

NAYS—2.

Carter, Lubbock.

Bill read third time.

Senator Kimbrough offered the following amendment:

Amend committee amendment by striking out "section 1" and insert "enacting clause."

Senator Potter offered the following amendment:

Amend by striking out the first "not" in section 4.

Adopted.

The amendment of Senator Kimbrough was adopted:

The bill was passed.

Senator Page moved to postpone pending business, and take up out of its regular order,

House joint resolution No. 1 to amend section 11, article 16, of the constitution of the State of Texas.

Adopted, and resolution read second time, with a favorable committee report:

Senator Page offered the following amendment:

Amend by striking out "first Tuesday after the second Tuesday in August" and insert "the second Tuesday in August."

Adopted.

The resolution was passed to a third reading.

Senator Finch moved to postpone pending business and take up out of its regular order Senate bill No. 314, entitled an act rendering certain persons incompetent to become officers or aldermen of any city in the State of Texas; and to disqualify such persons to hold such office or being such aldermen.

Adopted and bill read a second time with a favorable committee report.

Senator Finch offered the following amendment:

Section 2. The near approach of the end of the session of the Legislature creates an imperative, public necessity, that the constitutional rule requiring bills to be read on three several days be suspended as to this act and said rule is hereby suspended.

Adopted.

The bill was ordered engrossed.

Senator Finch moved to suspend the constitutional rule requiring bills to be read on three several days and that the bill pass to a third reading and final passage.

Adopted by the following vote:

YEAS—23.

Carter,	Glasscock,	Seale,
Clark,	Harrison,	Simkins,
Clemens,	Johnson,	Stephens,
Crane,	Kearby,	Townsend,
Cranford,	Kimbrough,	Tyler,
Finch,	Maetze,	Weisiger,
Frank,	Page,	Whatley,
Garwood,	Potter,	

NAYS—2.

Lubbock,

Mott,

Bill read third time.

Senator Stephens offered the following amendment:

Amend by adding to end of section 1 the following:

"Provided that nothing contained in this act shall apply to any city with less than 5000 inhabitants."

Lost.

Senator Stephens moved to reconsider.

Lost.

Senator Harrison moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

YEAS—12.

Clark,  
Clemens,  
Cranford,  
Garwood,

Glasscock,  
Harrison,  
Lubbock,  
Maetze,

Mott,  
Townsend,  
Weisiger,  
Whatley.

NAYS—16.

Burney,  
Carter,  
Crane,  
Finch,  
Frank,  
Johnson,

Kearby,  
Kimbrough,  
McKinney,  
Page,  
Potter,

Seale,  
Simkins,  
Sims,  
Stephens,  
Tyler.

Senator Harrison moved to adjourn to 3 p. m. this day.

Lost.

The pending bill passed by the following vote:

YEAS—17.

Burney,  
Carter,  
Clark,  
Crane,  
Cranford,  
Finch,  
Frank,

Glasscock,  
Harrison,  
Johnson,  
Kearby,  
Kimbrough,  
Maetze.

McKinney,  
Page,  
Potter,  
Simkins,  
Townsend,

NAYS—10.

Clemens,  
Garwood,  
Lubbock,  
Mott,

Seale,  
Sims,  
Stephens.

Tyler,  
Weisiger,  
Whatley.

Senator Kimbrough moved to reconsider the vote passing the bill and to lay that motion on the table.

Adopted.

On motion of Senator Johnson the Senate adjourned to 10 o'clock a. m. tomorrow.

## SIXTY-SECOND DAY.

SENATE CHAMBER,  
TWENTY-SECOND LEGISLATURE,  
Austin, Texas, March 26, 1891.

The Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.